

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

KEVIN JERMAINE RODGERS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 17-cv-0870 (SRN/SER)

ORDER

The above-captioned case comes before the undersigned on the Report and Recommendation of United States Magistrate Judge Steven E. Rau [Doc. No. 3]. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, **IT IS HEREBY ORDERED** that:

1. Petitioner Rodgers' application for habeas corpus relief pursuant to 28 U.S.C. § 2241 [Doc. No. 1] IS DENIED without prejudice for lack of jurisdiction;
2. Petitioner Rodgers's application to proceed *in forma pauperis* [Doc. No. 2] is DENIED as moot.

Dated: May 19, 2017

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge